

CHANGES TO TURA REPORTING FOR REPORTING YEAR 2015

AS OF MARCH 24, 2016

Effective THIS Reporting Year (2015) for reports due July 1, 2016:

We're very excited to report that the TURA eDEP system is moving to new easier-to-use web-based forms. Because of this new eDEP system, it will be important for you to attend one of the spring TURA/TRI reporting workshops:

- **May 5, 2016**
[ATMC Conference Center](#)
151 Martine Drive, Fall River, MA
- **May 10, 2016**
[North Central Massachusetts Chamber of Commerce](#)
860 South Street, Fitchburg, MA
- **May 26, 2016**
[Massachusetts Mutual Insurance Co.](#)
Learning & Training Conference Center, 350 Memorial Drive (Route 33), Chicopee, MA
- **June 2, 2016**
[Parker River National Wildlife Refuge](#)
Headquarters Building, 6 Plum Island Turnpike, Newburyport, MA

Effective NEXT Reporting Year (2016) for reports due July 1, 2017:

*The following chemicals have been designated as higher hazard substances, effective **calendar** year 2016, **for reports due July 1, 2017**. The reporting threshold will be 1,000 pounds. Therefore, it is important to begin tracking use, beginning in 2016 for filing your 2016 TURA report, due July 1, 2017:*

n-Propyl Bromide (nPB), (1-Bromopropane) – CAS 106-94-5
Hydrogen fluoride – CAS 7664-39-3
Cyanide compounds – MassDEP Code 1016
Dimethylformamide (DMF) – CAS 68-12-2

Effective YEAR AFTER NEXT Reporting Year (2017) for reports due July 1, 2018:

New TRI Chemical Category: Nonylphenol Category

A rule published on [September 30, 2014, \(79 FR 58686\)](#) added a nonylphenol category to the Federal Toxics Release Inventory (TRI) list of reportable chemicals. While this chemical category must be included in the 2015 TRI reports submitted to the Environmental Protection agency, *it is not reportable under TURA until reporting year 2017, for reports due July 1, 2018.*

This chemical category includes the following chemicals:

4-Nonylphenol – CAS 104-40-5
Isononylphenol – CAS 11066-49-2
Nonylphenol – CAS 25154-52-3
4-Isononylphenol – CAS 26543-97-5
4-Nonylphenol, branched – CAS 84852-15-3
Nonylphenol, branched – CAS 90481-04-2

Toxics Use Reduction Program Reporting Amnesty

The Massachusetts Department of Environmental Protection (MassDEP) recognizes that there may be companies that are subject to the reporting requirements of the Toxics Use Reduction Act (TURA (M.G.L. chapter 21I)) and 310 CMR 50.00 that are not aware of the reporting requirements and legal obligations, or that have been reporting under TURA but have inadvertently missed one or more chemicals. Therefore, pursuant to its discretionary enforcement authority, MassDEP is announcing **an enforcement amnesty through June 30, 2016** for facilities that voluntarily disclose past failure to file one or more Toxics Use Reduction Act, Annual Chemical Use Reports (Form Ss) as required by 310 CMR 50.30.

During the amnesty, facilities that voluntarily submit one or more previously-owed Form S's will only receive a "warning letter" and be required to pay one year of past owed chemical use fees for the unreported chemical(s) plus the \$1,000, administrative late fee mandated by M.G.L. c. 21I, § 19(f), regardless of how many years they should have been reporting the chemical(s). Before this amnesty, companies that came forward with missing FormS's received a Notice of Noncompliance and were required to pay back fees for each year they had failed to report the chemical, up to a maximum of three years. Under this amnesty program, companies are still required to submit Form S's for all back years for which they owe a report on the chemical, up to a maximum of three years.

For example, if a facility discovered it had failed to file a report for Nitrate Compounds for reporting years 2012 and 2013, they would be required to submit reports for both years, but would pay only one year of chemical use and administrative late fees.

To take advantage of this amnesty, Massachusetts companies must submit any Form S's that are owed by June 30, 2016

MassDEP will not be seeking to enforce for failure to file reports of chemical use in calendar years earlier than 2011, so companies seeking to avail themselves of this amnesty should limit disclosure to chemical use in calendar year 2011 to the present.

For further information, please contact Walter Hope: 617-292-5982 or Walter.Hope@state.ma.us

This amnesty is at MassDEP's sole discretion, and does not create any rights or otherwise reduce the obligations of any entity to fully comply with applicable laws, nor does it in any way affect the legal rights of the MassDEP to take appropriate enforcement action in any case involving any violations other than the administrative noncompliance with the reporting requirements of M.G.L. c. 21I or 310 CMR 50.00 that are the express subject of this amnesty. MassDEP reserves the right to take or refer for appropriate action any violations, including but not limited to, those that cause or pose a threat of significant risks to public health, public safety, public welfare and the environment or involve fraudulent or other criminal action.